

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DINORAH PERALTA,

Plaintiff,

v.

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

ORDER  
1:23-CV-06258-GRJ

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GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act. (Docket No. 23.) The parties have stipulated that Plaintiff should be awarded seven thousand sixty-two dollars and forty-five cents (\$7,062.45) in attorney's fees under the Equal Access to Justice Act and costs in the amount of \$402.00.

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees under the EAJA in the amount of **\$7,062.45**. The payment of attorney's fees is subject to any offsetting debt owed by the Plaintiff to the United States. Before the Commissioner shall be obligated to pay the EAJA fees and costs, the Commissioner must determine whether Plaintiff owes a debt to the

government. In the event the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Commissioner must then pay the fees directly to Plaintiff's counsel.

2. Plaintiff is awarded costs in the sum of \$402.00, which costs shall be payable from the judgment fund administered by the United States Department of Treasury.

3. The Clerk is directed to **TERMINATE** Plaintiff's Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act (Docket No. 20) as a pending motion.

Dated: November 4, 2024

s/ Gary R. Jones  
GARY R. JONES  
United States Magistrate Judge